

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTIANA SUNSHINE-LONGWAY;
BUENAVENTURA RIVERA,

Plaintiffs,

-against-

THE SOCIETY FOR CREATIVE ANACHRONISM,
INC.,

Defendant.

21-CV-3142 (LTS)

ORDER DIRECTING PAYMENT OF
FEE BALANCE

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiffs bring this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either (1) request authorization to proceed without prepaying fees, that is, *in forma pauperis* (IFP), by submitting a signed IFP application, *see* 28 U.S.C. §§ 1914, 1915, or (2) pay a \$350.00 filing fee, plus an administrative fee. Effective December 1, 2020, the administrative fee increased from \$50.00 to \$52.00, bringing the total fees to commence a new action to \$402.00.

Because Plaintiffs' complaint was filed after the administrative fee increase took effect, the applicable fees for this action are \$402.00, but Plaintiffs have submitted a certified check for \$400.00. Accordingly, the Court directs Plaintiffs, within 30 days, to send a \$2.00 certified check or money order to the following address: United States District Court for the Southern District of New York, Attn: Cashier, 500 Pearl Street, Room 260, NY, NY 10007.

The Court further directs the Cashier's Unit to hold Plaintiffs' \$400.00 certified check for 30 days from the date of this order. If the Court receives the \$2.00 certified check or money order within this period, the case shall be processed in accordance with the procedures of the Clerk's Office. If the Court does not receive a certified check or money order with payment of the \$2.00 balance within the time allowed, then: (1) the \$400.00 certified check that Plaintiffs submitted

will be returned to them, and (2) the complaint will be dismissed without prejudice to Plaintiffs' refiling the complaint, together with the proper fees or IFP applications.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: April 29, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge